

## **DHS-016 Amendment to the Iowa Plan for Behavioral Health Contract**

This Amendment to Contract Number MED-09-020 is effective as of October 1, 2011, between the Iowa Department of Human Services (Agency) and Magellan Behavioral Care of Iowa, Inc. (Contractor).

### **Section 1: Amendment to the Contract**

The Contract is amended as follows:

The last paragraph in Section 3.3.2.4.2 of the RFP Scope of Work, which was added to the Contract through Amendment DHS-011, is hereby replaced with the following language:

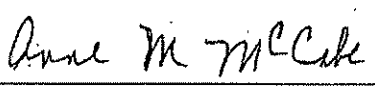
Contractor shall recognize DHS's right to recover state payments made through the Contractor to providers who are also Medicaid providers and who owe a debt to the Medicaid program. Upon receipt of a state request to set off payments to the provider, the Contractor shall set off payments to the effected provider to the fullest extent permitted by contractual obligations between the Contractor and Contractor's provider panel and return such set-off funds to DHS. On a going forward basis, the Contractor agreements with Contractor's provider panels shall include a clause recognizing DHS's rights of set off of payments in this regard.

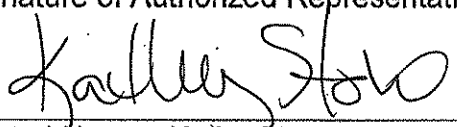
### **Section 2: Ratification, Authorization & Contingency**

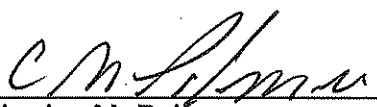
Except as expressly amended and supplemented herein, the Contract shall remain in full force and effect, and the parties hereby ratify and confirm the terms and conditions thereof. Each party to this Amendment represents and warrants to the other that it has the right, power, and authority to enter into and perform its obligations under this Amendment, and it has taken all requisite actions (corporate, statutory, or otherwise) to approve execution, delivery and performance of this Amendment, and this Amendment constitutes a legal, valid and binding obligation upon itself in accordance with its terms. This Amendment is contingent on approval of the Centers for Medicare and Medicaid Services.

### **Section 3: Execution**

**IN WITNESS WHEREOF**, in consideration of the mutual covenants set forth above and for other good and valuable consideration, the receipt, adequacy and legal sufficiency of which are hereby acknowledged, the parties have entered into the above Amendment and have caused their duly authorized representatives to execute this Amendment.

<b>Contractor, Magellan Behavioral Care of Iowa, Inc.</b>
Signature of Authorized Representative: 
Printed Name: Anne M. McCabe
Title: President, MBC of Iowa
Date: 10/4/11

<b>Iowa Department of Public Health</b>
Signature of Authorized Representative: 
Printed Name: Kathy Stone
Title: Director, Division of Behavioral Health
Date: 10/14/11

<b>Iowa Department of Human Services</b>
Signature of Authorized Representative: 
Printed Name: Charles M. Palmer
Title: Director
Date: 10-31-11